

U.S. Patent Application Serial No. 10/802,027  
Response to Final OA dated April 6, 2009

### REMARKS

Claims 1 and 8 are amended in order to more particularly point out, and distinctly claim the subject matter which the Applicants regard as their invention. The Applicants respectfully submit that no new matter has been added. It is believed that this Amendment is fully responsive to the Office Action dated April 6, 2009.

In the Office Action, Claims 1, 3-6 and 8 were rejected under 35 U.S.C. §102(b) as being anticipated by Strano et al. (U.S. Patent No. 6,013,178); and Claims 1, 3-6 and 8 were rejected under 35 U.S.C. §102(b) as being anticipated by Kamrath (U.S. Patent No. 1,922,588). Reconsideration and removal of these rejections are respectfully requested in view of the present amendments to Claims 1 and 8 and the following remarks.

Claims 1 and 8 are amended to more clearly define the "structure" (5) in the inflow chamber. The structure (5) is best shown in FIG. 1. In particular it is now claimed that the structure extends substantially the entire length of the inflow chamber, and that the structure forcibly directs the fluid radially toward the filter element along substantially the entire length of the filter element.

Applicants respectfully submit that the claimed invention distinguishes over Strano et al. and Kamrath as the alleged "structure" (18) of Strano et al. only extends over a very short distance; and in Kamrath, the alleged "structure" (24/28/27) has only the portion (24) extending substantially the entire length of the inflow chamber and since it (24) is cylindrically shaped it would not forcefully direct the fluid radially as in the present claimed invention.

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In the Office Action, Claim 8 was rejected under 35 U.S.C. §102(b) as being anticipated by Dupure (U.S. Patent No. 2,733,775). Reconsideration and removal of this rejection are respectfully requested in view of the amendments to Claim 8 and the following remarks.

In the device of Dupure, oil which is introduced through an opening at the top of the apparatus flows through the alleged "guide" (22, 26) through slots (24) to impinge upon filter 10.

Claim 8 has been amended to more clearly define the flow of the fluid so as to distinguish over Dupure, in particular that flow of the fluid is directed along an outer surface of the guide.

In view of the amendment to Claim 8, and the above remarks, removal of this rejection is respectfully requested.

In the Office Action, Claim 10 was rejected under 35 U.S.C. §102(b) as being anticipated by Campo (U.S. Patent No. 3,675,776). Reconsideration and removal of this rejection are respectfully requested in view of the following remarks.

On page 6 of the Office Action, the Office Action states that:

Applicant's arguments with respect to Claims 10 and 11 rejected over the Campo patent, filed on February 4, 2009 have been fully considered but they are not persuasive. It is argued that Campo does

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not teach specific mesh sizes relative to a "target size" of a target foreign matter. However, it is submitted that target pore or mesh sizes and other filtering properties are necessarily encompassed in the Campo disclosure "specific filtering materials may be inserted having material specifically suited for the removal of particular impurities" at column 5, lines 10-15.

In response to the Examiner's comments, the Applicants wish to respond that:

Firstly, at page 3, last line of the Office Action, it is stated that Claim 10 does not specify the particular orientation of the target trapping and falling-off element layers. However, Applicants respectfully submit that the orientation is defined by the wording "the fall-off preventing element being provided on the side surface of the inflow path of said target trapping element".

Secondly, Campo cannot possibly teach the mesh sizes and the direction of flow arrangement of elements in relation to the target size, because, as shown in FIG. 2, the fluid flows in two different directions through the two layers of the filter element (see direction of flow arrows near "A", and direction of flow arrows near "B"). Near "A" the fluid is first going through element (60) and then (61). Near "B" the fluid is first going through element (61) and then (60), therefore no arrangement of the elements in regard to mesh size, target size and direction of flow could be taught by Campo.

In view of the above remarks, removal of this rejection is respectfully requested.

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In the Office Action, Claim 4 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kamrath (U.S. Patent No. 1,922,688) in view of Kamrath (U.S. Patent No. 2,171,752). Reconsideration and removal of this rejection are respectfully requested in view of the amendment to Claim 1 and the following remarks.

Claim 4 depends from Claim 1, which is discussed above.

In view of the amendment to Claim 1, and the above remarks, removal of this rejection is respectfully requested.

In the Office Action, Claims 7, 9 and 12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kamrath (U.S. Patent No. 1,922,688) in view of Rabbitt (U.S. Patent No. 2,655,894). Reconsideration and removal of this rejection are respectfully requested in view of the amendments to Claims 1 and 8 and the following remarks.

Claims 7, 9 and 12 depend from Claims 1 and 8, which are discussed above.

In view of the amendment to Claims 1 and 8, and the above remarks, removal of this rejection is respectfully requested.

In the Office Action, Claim 11 was rejected under 35 U.S.C. §103(e) as being unpatentable over Campo (U.S. Patent No. 3,675,776) in view of Kuh et al. (U.S. Patent No. 4,681,677). Reconsideration and removal of this rejection are respectfully requested in view of the present amendment to the Claim 10 and the following remarks.

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Claim 11 depends from Claim 10, which is discussed above.

In view of the amendment to Claim 10, and the above remarks, removal of this rejection is respectfully requested.


In view of the aforementioned amendments and accompanying remarks, Claims 1-11, as amended, are believed to be in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the Applicants' undersigned agent at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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